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May 1, 2018

*Via ECF*

Hon. Steven I. Locke  
United States Magistrate Judge  
United States District Court, Eastern District  
100 Federal Plaza  
Central Islip, New York 11722

**Re: Hayes v. Nassau County, et al.**  
**15-CV-0398(JFB)(SIL)**

Dear Magistrate Locke:

Goldberg, Segalla, LLP, Special Counsel to Nassau County, represents Defendants County of Nassau, Nassau County Police Department, Nassau County Police Officer Carl Arena, Nassau County Police Officer Peter J. Ellison, and Nassau County Police Lieutenant Vincent G. Bodgen, (hereinafter referred to as "County Defendants"), in connection with the above-reference matter. This letter is written in response to this Court's Order dated, dated December 28, 2017 (DE #36).

As the Court is aware, since December 28, 2017, plaintiff has been prosecuting this matter *Pro Se*. During the last conference, plaintiff provided the Court and County defendants with his contact information. The parties were to engage in discovery, which was to be complete as of yesterday. Unfortunately, County Defendants' numerous attempts in contacting plaintiff have been unsuccessful and discovery has not progressed.

County Defendants respectfully request that the Court set the matter for status conference and to enter into a new discovery schedule. In the alternative, County Defendants request permission to move to dismiss the matter for plaintiff's failure to prosecute the matter.

Thanking the Court for its consideration, I remain

Respectfully,

\_\_\_\_\_/s/\_\_\_\_\_  
Richard J. Femia

Attorney for County Defendants

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*Via Certified mail*